

Senator Douglass moved a call of the Senate, which was ordered, the following answering to their names:

YEAS—19.

Agnew,	Kearby,
Atlee,	Lawhon,
Boren,	McComb,
Bowser,	Shelburne,
Cranford,	Simpson,
Crowley,	Smith,
Douglass,	Steele,
Hutchison,	Tips,
Imboden,	Yoakum.
Jester,	

ABSENT WITHOUT LEAVE—6.

Dean,	Swayne,
Goss,	Whitaker,
Lewis,	Woods

EXCUSED—6.

Baldwin,	Greer,
Browning,	McKinney,
Dickson,	Presler.

Senator Yoakum moved that the Senate stand adjourned till to-morrow morning at 10 o'clock.

Lost by the following vote:

YEAS—9.

Agnew,	Lewis,
Atlee,	Shelburne,
Cranford,	Simpson,
Crowley,	Yoakum.
Hutchison,	

NAYS—11.

Boren,	Lawhon,
Bowser,	McComb,
Douglass,	Smith,
Imboden,	Steele,
Jester,	Tips.
Kearby,	

ABSENT—5.

Dean,	Whitaker,
Goss,	Woods.
Swayne,	

EXCUSED—6.

Baldwin,	Greer,
Browning,	McKinney,
Dickson,	Presler.

Senator Steele moved that the Senate stand adjourned till to-morrow morning at 10.05 o'clock. Carried by the following vote:

YEAS—11.

Agnew,	McComb,
Atlee,	Shelburne,
Cranford,	Simpson,
Crowley,	Steele,
Lawhon,	Yoakum.
Lewis,	

NAYS—10.

Boren,	Jester,
Bowser,	Kearby,

Douglas,
Hutchison,
Imboden,

Presler,
Smith,
Tips.

ABSENT—4.

Dean,	Swayne,
Goss,	Whitaker.

EXCUSED—5.

Baldwin,	Greer,
Browning,	McKinney.
Dickson,	

SIXTIETH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, March 21, 1893.

Senate met pursuant to adjournment.

President Pro Tem Kearby in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—22.

Agnew,	Jester,
Atlee,	Kearby,
Boren,	Lewis,
Bowser,	McComb,
Cranford,	Presler,
Crowley,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith,
Goss,	Steele,
Hutchison,	Tips,
Imboden,	Yoakum.

ABSENT—6.

Dean,	Swayne.
Lawhon,	Whitaker,
McKinney,	Woods.

EXCUSED—3.

Baldwin,	Greer.
Browning,	

Prayer by the chaplain, Dr. Briggs, as follows:

Our Father, hear us in behalf of those who need Thee most. Enrich the poorest from Thy exhaustless treasurehouse. Clothe the weakest with Thy unfailing strength. Enlighten the most perplexed with the clearest revelations of Thy truth. Hasten after those who are furthest away lest they go beyond the sound of Thy voice. The bruised reed break not, nor quench the smoking flax, but make the infirmities of men new reasons for Thy gentle care. Kindle in our bosoms resistless longings for Thy presence. May our souls go out after Thee as birds of summer flee from icy skies to find the sunlit lands. And unto Thy name be praise and glory. Amen.

Pending the reading of the journal of yesterday,

On motion of Senator Jester, the reading of the same was suspended.

On motion of Senator Steele, Senator McKinney was excused for to-day on account of important business.

On motion of Senator Imboden, Senator Whitaker was excused yesterday and to-day on account of sickness.

On motion of Senator Yoakum, Senator Woods was excused from yesterday to the end of the week on account of important business.

On motion of Senator Bowser, Senator Swayne was excused for yesterday and to the end of the week on account of important business.

On motion of Senator Simpson, Senator Lawhon was excused till next Thursday on account of important business.

The Chair gave notice of signing and did sign the following bills:

Senate bill No. 171, entitled "An act to amend sections 12, 19, 23, 65, 145, 147, 149, 158 and 160 of an act entitled "An act to incorporate the city of Denison, in Grayson county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs," passed March, 1891.

House bill No. 649, entitled "An act to amend section 2 of an act to be entitled an act to reorganize the Fifteenth judicial district, and the Fortieth judicial district, and to amend chapter 67, section 15 of the General Laws of Texas, approved April 9, 1883, redistricting the State for judicial purposes, and to amend section 2 of chapter 58 of the General Laws of Texas, approved March 27, 1885, creating the Fortieth judicial district, and to repeal all laws in conflict with this act, passed at the present session of the Legislature."

House bill No. 433, "An act to restore to and confer upon the county courts of Angelina, Shelby and Coke counties the civil and criminal jurisdiction heretofore belonging to them under the Constitution and General Laws of the State, and to conform the jurisdiction of the district courts of said counties to such change, and to give said county courts concurrent jurisdiction with justices of the peace and other inferior courts of said counties, and to repeal all laws and parts of laws in conflict therewith."

House bill No. 151, "An act to amend chapter 75 of the acts of the Twenty-first Legislature of Texas, approved April 6, 1889,

entitled an act to require butchers and slaughterers of cattle to give a bond and to prescribe penalties for the violation of the conditions of the same, and to prevent unlawful slaughtering and selling cattle," as amended by the Twenty-second Legislature.

House bill No. 441, "An act to diminish the civil and criminal jurisdiction of the county court of McCulloch county,"

After the captions of same had been read.

HOUSE MESSAGES.

HOUSE OF REPRESENTATIVES, AUSTIN, TEXAS, March 21, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following bills, to-wit:

Senate bill No. 211, "An act to amend section 3 of an act to reorganize the Thirty-second, Thirty-ninth and to create the Fiftieth judicial district," with an amendment.

Senate bill No. 262, "An act to amend sections 14, 89 and 93 of an act entitled an act to grant a new charter to the city of El Paso, approved March 2, 1889.

Senate bill No. 210, "An act to fix the times for holding the courts in the Forty-seventh judicial district and to repeal all laws in conflict herewith."

House bill No. 411, "An act granting Sarah A. Nichols to bring suit against the State of Texas in the district court of Travis county, to ascertain the amount, if any due by the State to Sarah A. Nichols, surviving widow of Quilla J. Nichols on account of the construction of the General Land Office."

Senate bill No. 248, "An act to amend section 5 of an act entitled an act to encourage irrigation and to provide for the acquisition of the rights to the use of water, and for the construction and maintenance of canals, ditches, flumes, reservoirs and wells for irrigation and for mining, milling and stock raising in the arid districts of Texas, approved March 19, 1889, so as to extend the time within which to file and have recorded the sworn statement provided for in said section No. 5 of said act, and to give such owners of such ditches, canals, flumes, reservoirs and wells for irrigation a preference lien for the use of the water from such ditches, etc., under a lease or rental contract."

House bill No. 356, "An act to prevent and punish persons enticing or decoying minors away from the custody of their parents or guardians, and to give certain benevolent institutions and orphans homes the rights of guardian over minors surrendered to such institutions and homes for support and education,"

And that the House has adopted the following concurrent resolution:

Whereas, On or about the 1st day of April, 1891, what was commonly known as the "State printing office" was, in accordance with the requirements of the law, by order of the Board of Public Printing, closed; and

Whereas, Said printing outfit, consisting of fonts of type, presses, electrototype plant, boiler and engine, and bindery, etc., etc.; and

Whereas, Said property (which has cost the State large sums of money) is constantly deteriorating in value by means of rust and disuse; and

Whereas, said property is, in its present condition, of no value to the State, now therefore be it

Resolved by the House of Representatives, the Senate concurring, That the Superintendent of Public Buildings and Grounds is hereby authorized and empowered to condemn all of said printing outfit, not now in use by the Deaf and Dumb institute, and to proceed to sell the same for cash to the highest bidder, in the same manner as other public property is condemned and sold, the proceeds of such sale to be placed in the State treasury to the credit of the general revenue.

Also Senate bill 145, "An act to amend article 566, chapter 2, title 20 of the Revised Civil Statutes of the State of Texas as amended by the Twenty-second Legislature" with amendments.

And that the House concurs in Senate amendments to House bill No. 151, "An act to amend chapter 75 of the acts of the Twenty-first Legislature, entitled an act to require butchers and slaughterers of cattle to give bond and prescribe penalties for the violation of the conditions of the same and to prevent unlawful slaughtering and selling cattle, as amended by the Twenty-second Legislature."

Also that the House concurs in Senate amendments to House bill No. 433, "An act to restore to Angelina, Shelby and Coke counties, civil and criminal jurisdiction."

Respectfully,
GEO. W. FINGER,
Chief Clerk House of Representatives.

IN SENATE.

House bill No. 85, "An act to regulate assignments for the benefit of creditors, to declare what acts shall operate as such assignments, and to prescribe rules for administering the same, and to provide penalties for the violation of this act, and to repeal an act entitled an act in relation to assignments for the benefit of creditors, to regulate the same and proceedings thereunder, approved March 24, 1879, and to repeal an act entitled an act to amend sections 3, 6 and 10 of an act in relation to assignments for the benefit of creditors, and to regulate the same and the proceedings thereunder, approved March 24, 1879, approved April 7, 1883, and to repeal all laws and parts of laws in conflict herewith."

Read first time and referred to Judiciary Committee No. 1.

House bill No. 416, "An act granting permission to Sarah A. Nichols to bring suit against the State of Texas in the district court of Travis county to ascertain the amount, if any, the State is indebted to said Sarah A. Nichols, surviving widow of Quilla J. Nichols, on account of the construction of the General Land Office building of Texas."

Read first time and referred to Committee on Finance.

House bill No. 356, "An act to prevent and punish persons enticing or decoying minors away from the custody of their parents or guardians, and to give certain benevolent institutions and orphans homes the rights of guardian over minors surrendered to such institutions and homes for support and education."

Read first time and referred to Judiciary Committee No. 2.

COMMITTEE REPORTS.

COMMITTEE ROOM,
AUSTIN, TEXAS, March 20, 1893.

Hon. M. M. Crane, President of the Senate:
Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 255, being "An act for the relief of F. L. Schmid and making an appropriation therefor,"

And find the same correctly engrossed.

YOAKUM, Acting Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, March 20, 1893.

Hon. M. M. Crane, President of the Senate:
Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 61, being "An act to

refund to W. B. Brush the sum of \$275, purchase money paid by him as contractor of State sewer at Austin, Texas, under act of May 5, 1882, in acquiring for the State the right of way for said sewer."

And find the same correctly engrossed.

YOAKUM, Acting Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 20, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Education, to whom was referred

Senate bill No. 167, entitled "An act to authorize the teachers in public free schools who hold certificates of examination and have taught five years in the public free schools of this State, be permitted to be employed to teach in the public free schools without further examination, and to repeal all laws in conflict herewith,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do* pass, with the following amendment:

Amend caption and body of bill by inserting "consecutive" after "five."

SMITH, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 21, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 171, being "An act to amend sections 12, 19, 23, 65, 145, 147, 149, 158 and 160 of an act entitled an act to incorporate the city of Denison, in Grayson county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs, passed March, 1891,"

And find the same correctly enrolled, and have this day, at 10.20 a. m., presented the same to the Governor for his approval.

McCOMB, Acting Chairman.

PETITIONS AND MEMORIALS.

By Senator Lewis:

Petition from druggists of San Antonio, Texas, asking the establishment of a chair of pharmacy in connection with the Medical Department of the University at Galveston.

Read and referred to Committee on Finance.

BILLS AND RESOLUTIONS.

By Senator Imboden:

A bill to be entitled "An act to amend article 3013, title 62 of chapter 1 of the Revised Civil Statutes of the State of Texas."

Read first time and referred to Judiciary Committee No. 2.

By Senator Smith:

Resolved, That the following rule of the Senate to-wit:

That immediately after the morning call of each day of the session of the Senate, the roll of the Senate shall be called, and each Senator as his name is called shall be permitted to call for consideration any bill pending in the Senate and no one Senator shall call up more than one bill until the names of all the Senators have been called; provided that no Senator shall be permitted to call for the consideration of any bill on its second reading so long as bills are pending on their third reading.

Provided further, that no rule of the Senate shall be suspended in order to take up for consideration bills on their second reading so long as any bills are pending on their third reading unless such bill asked to be considered shall be of local or special nature," be and the same is hereby rescinded.

Senator Yoakum moved to refer the resolution to Committee on Rules.

Senator Smith moved to table the motion to refer.

The motion to table was lost by the following vote:

YEAS—10.

Agnew,	Imboden,
Atlee,	Presler,
Boren,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith.

NAYS—11.

Bowser,	Kearby,
Cranford,	Lewis,
Crowley,	Steele,
Goss,	Tips,
Hutchison,	Yoakum.
Jester,	

ABSENT—2.

Dean,	McComb.
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EXCUSED—8.

Baldwin,	McKinney,
Browning,	Swayne,
Greer,	Whitaker,
Lawhon,	Woods.

Senator Douglass moved to postpone consideration of this resolution till to-morrow morning after call.

Senator Yoakum withdrew his motion to refer.

Senator Imboden moved the previous question on the motion to postpone.

The motion to postpone consideration till to-morrow morning was adopted.

By Senator McComb:

A bill to be entitled "An act to diminish the civil jurisdiction of the county court of Leon county."

Read first time and referred to Judiciary Committee No. 2.

By Senator Cranford:

A bill to be entitled "An act to diminish the civil and criminal jurisdiction of Delta county, and to conform the jurisdiction of the court of said county to such change."

Read first time and referred to Judiciary Committee No. 1.

By Senator McComb:

A bill to be entitled "An act to provide for the recovery of damages by any person whose sheep, goat or hog may be killed or injured by a dog or dogs owned or kept by another."

Read first time and referred to Judiciary Committee No. 2.

Senator Imboden in the chair.

By Senator Yoakum, concurrent resolution:

Resolved by the Senate, the House concurring, That the Twenty-third Legislature adjourn sine die on March 31, 1893, at 11 o'clock a. m.

Lost.

Call concluded.

Senator Kearby called up Senate bill No. 4, entitled "An act to define perpetuities, to prohibit, regulate and limit the ownership of real estate within this State by corporations, and to provide for the condemnation and sale thereof," with House amendments, and moved that the Senate concur in said amendments.

Senator Lewis asked that the House amendments be read.

So ordered.

Senator Smith made the point of order that under rule 35, the House amendments virtually constituted a substitute for said bill, and would therefore have to undergo the same process as a substitute bill.

Senator McComb cited the latter clause of rule No. 29, and also thought the amendments were the same as a substitute.

Senator Kearby stated that in his opinion the rules cited did not warrant the bill being referred to a committee, for the reason that the endorsements on the bill showed that the entire action by the Senate and House had been on Senate bill No. 4, and was, therefore, not a substitute.

Senator Lewis submitted the additional point that a bill could not be amended by a mere reference to its number.

The Chair held the points of order not well taken, and suggested an ap-

peal that the Senate might determine the issue for itself.

Senator Smith appealed from the decision of the Chair.

On the question, "Shall the decision of the Chair stand as the judgment of the Senate?" the Chair was sustained by the following vote:

YEAS—12.

Agnew,	Goss,
Boren,	Jester,
Bowser,	Kearby,
Cranford,	Presler,
Dickson,	Steele,
Douglass,	Yoakum.

NAYS—9.

Atlee,	Shelburne,
Crowley,	Simpson,
Hutchison,	Smith,
Lewis,	Tips.
McComb,	

ABSENT—1

Dean.

EXCUSED—8.

Baldwin,	McKinney,
Browning,	Swayne,
Greer,	Whitaker,
Lawhon,	Woods.

PRESENT, NOT VOTING—1.

Imboden.

By Senator Atlee:

Amend House amendments as follows:

Amend section 5 by striking out the clause beginning in line 3 in second column as printed in journal page 428, as follows: "in the district court of Travis county, or"

Lost by the following tie vote:

YEAS—11.

Agnew,	Hutchison,
Atlee,	Lewis,
Boren,	Shelburne,
Bowser,	Simpson,
Crowley,	Smith.
Goss,	

NAYS—11.

Cranford.	McComb,
Dickson,	Presler,
Douglass,	Steele,
Imboden,	Tips,
Jester,	Yoakum.
Kearby,	

ABSENT—1.

Dean.

EXCUSED—8.

Baldwin,	McKinney,
Browning,	Swayne,
Greer,	Whitaker,
Lawhon,	Woods.

By Senator Goss:

Amend by striking out the words "fifteen years" wherever they occur,

and insert in lieu thereof the words "twenty years."

Lost by the following vote:

YEAS—8.

Atlee,	Shelburne,
Crowley,	Simpson,
Goss,	Smith,
Lewis,	Tips.

NAYS—14.

Agnew,	Imboden,
Boren,	Jester,
Bowser,	Kearby,
Cranford,	McComb,
Dickson,	Presler,
Douglass,	Steele,
Hutchison,	Yoakum.

ABSENT—1.

Dean.

EXCUSED—8.

Baldwin,	McKinney,
Browning,	Swayne,
Greer,	Whitaker,
Lawhon,	Woods.

By Senator Simpson:

Amend by striking out the words "Senate bill No. 4."

Senator Kearby made the point of order that the amendment was not in order, as it did not affect the substance of the bill.

Sustained.

Senator Douglass moved the previous question on the motion to concur, which was duly seconded and prevailed by the following vote:

YEAS—12.

Agnew,	Imboden,
Boren,	Jester,
Bowser,	Kearby,
Dickson,	Presler,
Douglass,	Steele,
Goss,	Yoakum.

NAYS—10.

Atlee,	McComb,
Cranford,	Shelburne,
Crowley,	Simpson,
Hutchison,	Smith,
Lewis,	Tips.

ABSENT—1.

Dean.

EXCUSED—8.

Baldwin,	McKinney,
Browning,	Swayne,
Greer,	Whitaker,
Lawhon,	Woods.

The amendment was then concurred in by the following vote:

YEAS—16.

Agnew,	Imboden,
Boren,	Jester,
Bowser,	Kearby,

Cranford,	McComb,
Dickson,	Presler,
Douglass,	Smith,
Goss,	Steele,
Hutchison,	Yoakum.

NAYS—6.

Atlee,	Shelburne,
Crowley,	Simpson,
Lewis,	Tips.

ABSENT—1.

Dean.

EXCUSED—8.

Baldwin,	McKinney,
Browning,	Swayne,
Greer,	Whitaker,
Lawhon,	Woods.

Senator Kearby moved to reconsider the vote concurring in said House amendments to Senate bill No. 4, and to lay that motion on the table. No quorum, the following voting.

YEAS—14.

Agnew,	Jester,
Boren,	Kearby,
Bowser,	McComb,
Cranford,	Presler,
Dickson,	Smith,
Douglass,	Steele,
Imboden,	Yoakum.

NAYS—6.

Atlee,	Hutchison,
Crowley,	Shelburne,
Goss,	Tips.

PRESENT NOT VOTING—1.

Lewis.	Simpson.
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ABSENT—2.

Dean.

EXCUSED—8.

Baldwin,	McKinney,
Browning,	Swayne,
Greer,	Whitaker,
Lawhon,	Woods.

Pending further action, Senator Cranford moved to adjourn till tomorrow morning at 10 o'clock.

Senator Goss moved to adjourn to 3 p. m. to-day.

The vote being taken on the longest time first.

Lost.

The Senate then adjourned to 3 p. m. by the following vote:

YEAS—14.

Atlee,	Lewis,
Bowser,	McComb,
Cranford,	Shelburne,
Crowley,	Simpson,
Dickson,	Smith,
Goss,	Steele,
Hutchison,	Tips.

Agnew,
Boren,
Douglass,
Imboden,

NAYS—8.

Jester,
Kearby,
Presler,
Yoakum.

ABSENT—1.

Dean.

EXCUSED—8.

Baldwin,
Browning,
Greer,
Lawhon,

McKinney,
Swayne,
Whitaker,
Woods.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

President Pro Tem Kearby called the Senate to order.

(Senator Imboden in the chair.)

Roll called.

No quorum, the following Senators answering to their names:

PRESENT—20.

Agnew,
Atlee,
Boren,
Bowser,
Cranford,
Crowley,
Dickson,
Douglass,
Goss,
Imboden,

Jester,
Kearby,
Lewis,
Presler,
Shelburne,
Simpson,
Smith,
Steele,
Tips,
Yoakum.

ABSENT—3.

Dean,
Hutchison,

McComb.

EXCUSED—8.

Baldwin,
Browning,
Greer,
Lawhon,

McKinney,
Swayne,
Whitaker,
Woods.

Senator Kearby moved a call of the Senate, which was ordered, the following senators answering to their names:

PRESENT—20.

Agnew,
Atlee,
Boren,
Bowser,
Cranford,
Crowley,
Dickson,
Douglass,
Goss,
Imboden,

Jester,
Kearby,
Lewis,
Presler,
Shelburne,
Simpson,
Smith,
Steele,
Tips,
Yoakum.

ABSENT WITHOUT LEAVE—3.

Dean,
Hutchison,

McComb.

EXCUSED—8.

Baldwin,
Browning,

McKinney,
Swayne,

Greer,
Lawhon,

Whitaker,
Woods.

Senator Hutchison was announced.

The Chair announced the Senate full, and the pending business, a motion to reconsider the vote concurring in House amendment to Senate bill No. 4.

Senator Lewis moved a call of the Senate, which was ordered, the following Senators answering to their names:

PRESENT—21.

Agnew,
Atlee,
Boren,
Bowser,
Cranford,
Crowley,
Dickson,
Douglass,
Goss,
Hutchison,
Imboden,

Jester,
Kearby,
Lewis,
Presler,
Shelburne,
Simpson,
Smith,
Steele,
Tips,
Yoakum.

ABSENT—2.

Dean,

McComb.

EXCUSED—8.

Baldwin,
Browning,
Greer,
Lawhon,

McKinney,
Swayne,
Whitaker,
Woods.

Senator Kearby moved to excuse the absentees.

Lost by the following vote, (requiring two-thirds vote):

YEAS—14.

Agnew,
Boren,
Bowser,
Cranford,
Dickson,
Douglass,
Goss,

Imboden,
Jester,
Kearby,
Presler,
Smith,
Steele,
Yoakum.

NAYS—7.

Atlee,
Crowley,
Hutchison,
Lewis,

Shelburne,
Simpson,
Tips.

ABSENT—2.

Dean,

McComb.

EXCUSED—8.

Baldwin,
Browning,
Greer,
Lawhon,

McKinney,
Swayne,
Whitaker,
Woods.

By consent, Senator Agnew offered the following concurrent resolution:

Resolved by the Senate, the House of Representatives concurring, That two days in each week, to-wit., Thursday and Friday, be set apart for the

consideration by each House of bills coming from the other House, and on such days only such bills shall be considered so long as there are any such on either second or third reading upon the table of the President of the Senate or Speaker of the House of Representatives.

Read and laid on table for one day.

By Senator Atlee.

A bill to be entitled "An act to amend article 426 of the Revised Civil Statutes of the State of Texas; to specify the purposes for which cities having more than ten thousand population, incorporated under the General Laws, may levy, assess and collect ad valorem taxes, and to validate liens and assessments made by such cities for the year 1893.

Read first time and referred to Judiciary Committee No. 1.

By consent, Senator Jester offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the present session of the Legislature adjourn sine die Saturday, April 8, at 6 o'clock p. m.

By Senator Yoakum:

Amend by striking out "8," and insert "3."

Lost.

The resolution was then lost.

(Senator McComb was announced.)

Senator Dickson moved to excuse Senator McComb this afternoon up to the time of the call of the Senate on account of sickness in his family.

Carried.

On motion of Senator Kearby the call of the Senate was suspended.

Senator Cranford moved the previous question on Senator Kearby's motion to reconsider the vote by which the Senate concurred in House amendments to Senate bill No. 4, and to lay that motion on the table, which was duly seconded, and prevailed.

The motion to reconsider was then tabled.

On motion of Senator Yoakum, Senator Dean was excused for to-day and the remainder of this week on account of important business.

(President Pro Tem. Kearby in the chair.)

HOUSE MESSAGES.

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, March 21, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following bills to-wit:

Senate Bill No. 14, "An act to amend articles 3227, 3228, 3229, 3230, 3231, 3232,
27—Senate

3233, 3234, 3235, 3236, 3237, 3238, 3239, 3239a, 3239b, 3239c, title 63, of the Revised Civil Statutes of the State of Texas," with an amendment.

Also Senate bill No. 91, "An act to validate patents heretofore and hereafter to be issued, and locations heretofore made by virtue of Confederate veteran donation land certificates" with amendments.

Also, House concurrent resolution No. 24, resolution requesting our Senators and Representatives in Congress to offer and support certain measures looking to an investigation of the Federal courts in regard to receiverships, etc.

Also House bill No. 348, "An act to amend title 47, chapter 5 of the Revised Civil Statutes by adding thereto articles 2509a and 2509b."

Passed by two-third vote; yeas 90, nays 1.

And that the House refuses to pass Senate bill No. 84, "An act to establish an industrial home for fallen women and young women in danger of falling, and to make an appropriation therefor."

Respectfully,

GEO. W. FINGER.

Chief Clerk House of Representatives.

HOUSE COINCIDENT RESOLUTION NO. 24.

Whereas, It has been charged by reputable citizens of this State that certain Federal officials have been guilty of malfeasance in office, and have abused the solemn trust reposed in them by the laws and Constitution, and

Whereas, The improper conduct and encroachment upon the rights of the people of the States by the Federal judiciary constitutes just cause of alarm among our people; therefore,

Section 1. *Be it resolved by the House of Representatives, the Senate concurring,* That our Senators and Representatives in Congress be and are hereby requested,

1. To offer and support a resolution in Congress to have the conduct of the Federal officials investigated and acted on in relation to their management of all railroads in this State over which Federal receivers have been appointed, and especially of the Houston and Texas Central railway for the eight years of its receivership pending in the Federal court.

2. To offer and support a bill to limit the jurisdiction of the subordinate Federal judges in general, and to define who are citizens within the meaning of the Constitution of the

United States, to that end that corporations created by the State shall not be subject to the jurisdiction of the Federal courts.

3. To offer and support a resolution for Congress to propose to the several States an amendment to the Federal constitution, making the United States judges appointive for a period of years, and removable by the President and Senate.

4. To offer and support a bill abolishing the office of one or both the circuit judges for this district, as being a useless and unnecessary expense to the government.

IN SENATE.

House bill No. 348, being a bill to be entitled "An act to amend title 47, chapter 3 of the Revised Civil Statutes of the State of Texas by adding thereto articles 2509a and 2509b," relating to estates of minors.

Read first time and referred to Judiciary Committee No. 1.

Senator Jester moved to take up Substitute Senate bill No. 76, entitled "An act making appropriation for the support of the State government beginning February 28, 1893, and ending February 28, 1895, to cover deficiencies and for other purposes.

Carried by the following vote:

YEAS—18.

Agnew,	Lewis,
Atlee,	McComb,
Cranford,	Presler,
Crowley,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith,
Imboden,	Steele,
Jester,	Tips,
Kearby,	Yoakum.

NAYS—4.

Boren,	Goss,
Bowser,	Hutchison.

EXCUSED—9.

Baldwin,	McKinney,
Browning,	Swayne,
Dean,	Whitaker,
Greer,	Woods.
Lawhon,	

Bill read second time, with committee substitute.

Substitute adopted.

Senator Yoakum moved to consider the bill by lines.

Senator Jester moved as a substitute "that the bill be considered by departments."

Adopted.

The motion as substituted was then adopted.

EXECUTIVE DEPARTMENT.

By Senator Hutchison:

Amend line 9 by adding the follow-

ing words: "Provided, no part of this appropriation shall be used for the employment of attorneys to prosecute offenses against the laws of the State of less grade than a felony."

Lost by the following vote:

YEAS—7.

Atlee,	Simpson,
Bowser,	Smith,
Hutchison,	Tips.
Shelburne,	

NAYS—15.

Agnew,	Jester,
Boren,	Kearby,
Cranford,	Lewis,
Crowley,	McComb,
Dickson,	Presler,
Douglass,	Steele,
Goss,	Yoakum.
Imboden,	

EXCUSED—9.

Baldwin,	McKinney,
Browning,	Swayne,
Dean,	Whitaker,
Greer,	Woods.
Lawhon,	

By Senator Crowley:

Amend by striking out lines 14, 15, 16, 17 and 18 on page 2 and insert in lieu thereof "for building and furnishing new executive mansion, \$150,000."

By Senator Imboden:

Amend the amendment by striking out "\$150,000" and insert "\$100,000."

By Senator Simpson:

Substitute both the amendment and the amendment to the amendment.

Amend by striking out lines 14, 15 and 16 on page 2 under head of mansion and grounds, and inserting in the place thereof "for building and furnishing a Governor's mansion and improvement of the grounds surrounding the mansion, \$100,000."

Senator Imboden accepted the substitute and withdrew his amendment.

The substitute was then lost by the following vote:

YEAS—5.

Bowser,	Shelburne,
Crowley,	Simpson.
Imboden,	

NAYS—16.

Agnew,	Jester,
Atlee,	Kearby,
Boren,	McComb,
Cranford,	Presler,
Dickson,	Smith,
Douglass,	Steele,
Goss,	Tips,
Hutchison,	Yoakum.

ABSENT—1.

Lewis.

EXCUSED—9.

Baldwin,	McKinney,
Browning,	Swayne,

Dean,
Greer,
Lawhon,

Whitaker,
Woods.

Senator Douglass moved to table the Crowley amendment.

Tabled by the following vote:

YEAS—14.

Agnew,
Atlee,
Boren,
Cranford,
Dickson,
Douglass,
Goss,

Hutchison,
Jester,
Kearby,
Presler,
Smith,
Steele,
Yoakum.

NAYS—7.

Bowser,
Crowley,
Imboden,
McComb,

Shelburne,
Simpson,
Tips.

ABSENT—1.

Lewis.

EXCUSED—9.

Baldwin,
Browning,
Dean,
Greer,
Lawhon,

McKinney,
Swayne,
Whitaker,
Woods.

By Senator Dickson:

Amend by striking out 14, 15, and 16 and inserting "\$5000 for the necessary repairs on the Governor's mansion and grounds."

Lost.

STATE DEPARTMENT.

By Senator Dickson:

Amend by striking out line 8.

Lost.

By Senator Imboden:

In line 2, strike out "\$1800" and insert "\$1950."

Lost by the following vote:

YEAS—5.

Crowley,
Imboden,
Kearby,

McComb,
Tips.

NAYS—17.

Agnew,
Atlee,
Boren,
Bowser,
Cranford,
Dickson,
Douglass,
Goss,
Hutchison,

Jester,
Lewis,
Presler,
Shelburne,
Simpson,
Smith,
Steele,
Yoakum.

EXCUSED—9.

Baldwin,
Browning,
Dean,
Greer,
Lawhon,

McKinney,
Swayne,
Whitaker,
Woods.

On motion of Senator Yoakum, the Senate adjourned till to-morrow morning at 10 o'clock.

SIXTY-FIRST DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, March 22, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—28.

Agnew,
Atlee,
Baldwin,
Boren,
Bowser,
Browning,
Cranford,
Crowley,
Dickson,
Douglass,
Goss,
Greer,
Hutchison,
Imboden,

Jester,
Kearby,
Lawhon,
Lewis,
McComb,
McKinney,
Presler,
Shelburne,
Simpson,
Smith,
Steele,
Tips,
Woods,
Yoakum.

ABSENT—1.

Whitaker.

EXCUSED—2.

Dean,

Swayne.

Prayer by the chaplain, Dr. Briggs, as follows:

Our Father: Grant us the power to transform all human experiences into stepping stones to Thee. Show the rich man how to make his gold the brighter by the stamp of an honest stewardship; and teach the poor man to cry with trustful courage, "Give us this day our daily bread." What time we dwell in sunshine, may our hearts be as censers whose incense wins the benediction of the skies; and in thick clouds and darkness, may we only cling the closer to the blessed hands outstretched in mercy toward us. May the praises of the world fill our hearts with humility, and calumnies but robe our souls with patience. Yea, may we be able to bless them that curse us, and pray for them that despitefully use us, and may death but end a triumph march in a coronation scene and prove that in life and death all things work together for good to them that love God. And to Thy great name be praise and glory now and always. Amen.

Pending the reading of the journal of yesterday,

On motion of Senator Atlee, the reading of the same was suspended.

On motion of Senator Imboden, the journal of yesterday, page 441, was corrected to show that his amend-